IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KESSLER=63A

In re Application of:

Brian KESSLER

Appln. No.: 10/677,296

Filed: October 3, 2003

For: JUMPING OR SKIPPING
PLAYTHING

Art Unit: 3764

Washington, D.C.

March 25, 2004

Confirmation No.: 9647

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

- [X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed before the mailing date of a first office action on the merits.
- [X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.

(check boxes A and/or B and fill in blanks, if appropriate)

- [] A. Document(s) ______ is (are) deemed substantially cumulative to document(s) ______, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.
- [] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

(insert serial numbers and filing dates of prior applications)

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO/SB/08A listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

- [X] C. Document AP is U.S. patent and/or published application. As this is a U.S. application filed after June 30, 2003, or an entry into national stage under 35 USC §371 after June 30, 2003, the requirement to file copies of such U.S. patents or published applications has been waived. (Office of Patent Legal Administration Pre O.G. Notice of July 11, 2003).
- $[\mathbf{X}]$ 3. Document \underline{AR} is not in the English language. In accordance with §1.98(a)(3), Applicant states:
 - [X] A concise explanation of the relevance of document(s) AR is found in the attached European search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

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[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20). However, a concise explanation of relevance is being provided in the form of the attached <u>European Search Report</u>.

In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Complete if Known Substitute for form 1449A/PTO 10/677,296 Application Number INFORMATION DISCLOSURE October 3, 2003 Filing Date STATEMENT BY APPLICANT Brian KESSLER First Named Inventor Group Art Unit 3764 (use as many sheets as necessary) 9647 Confirmation No. Sheet Attorney Docket Number KESSLER=63A

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U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (if known)}	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
	ΑP	US-2003/0027484 A1	02-06-2003	Brian KESSLER				
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		FOREIC	ON PATENT DO	CUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Number Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns; Lines, Where Relevant Passages or Relevant Figures Appear	₽°
		WO 03/011414 A1	02-13-2003	MAUI TOYS, INC		
	AR	DE 8522826 U1	10-3-1985	CHRAPLAK et al		
	AS	GB 1 390 477	04-16-1975	ULBRICHT, Carl		
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Examiner		Date		
Signature		Considered		

^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language Translation is attached.